

Message Text

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FROM EAGLEBURGER

E.O. 11652: N/A

TAGS: OGEN

SUBJECT: PERSONAL MESSAGE TO RABBI HERTZBERG

1. WOULD APPRECIATE YOUR PASSING THE TEXT OF LETTER BELOW
TO RABBI HERTZBERG CURRENTLY STAYING AT WOLFSON NUMBER 7,
FLAT 26, DISKIN STREET NUMBER 9, JERUSALEM.

2. BEGIN TEXT: DEAR ARTHUR:

I WANT YOU TO KNOW FROM THE START HOW MUCH WE ENJOY HAVING
SUSAN IN THE OFFICE. WE ARE TRYING TO KEEP HER BUSY ON A
VARIETY OF PROJECTS WHICH I THINK SHE FINDS INTERESTING,
AND WHICH ARE DESIGNED IN PART TO GIVE HER A FEEL FOR THE
WAY IN WHICH THIS BEHEMOTH LUMBERS ALONG. SHE SEEMS TO BE
ENJOYING HERSELF. SHE DID, BY THE WAY, GIVE ME A COPY OF
THE PAPER YOU WERE PLANNING TO DELIVER IN JERUSALEM WHICH
I ENJOYED; I MAY EVEN HAVE LEARNED SOMETHING.

I HAVE CHECKED INTO THE JHIRAD CASE AND ALTHOUGH YOU PRO-
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BABLY ALREADY KNOW MOST OF THE BACKGROUND, THE FOLLOWING

MIGHT BE OF INTEREST.

JHIRAD WAS, PRIOR TO HIS DEPARTURE FROM INDIA IN 1966, THE INDIAN NAVY'S JUDGE ADVOCATE. HE LIVED IN ISRAEL BETWEEN 1967 AND 1971, AND IN 1968 WAS CHARGED BY THE INDIAN GOVERNMENT WITH EMBEZZLEMENT. I UNDERSTAND THAT THE ORIGINAL FIGURE WAS CLOSE TO \$200,000 BUT THAT SINCE 1968 THAT SUM HAS BEEN REDUCED SUBSTANTIALLY. HE ENTERED THE UNITED STATES IN 1971, WAS GRANTED STATUS AS A RESIDENT ALIEN, AND SHORTLY THEREAFTER APPLIED FOR U.S. CITIZENSHIP. IN 1972 THE INDIAN GOVERNMENT FILED A REQUEST FOR HIS EXTRADITION BECAUSE OF THE 1968 EMBEZZLEMENT CHARGE.

JHIRAD HAS APPEALED HIS CASE THROUGH THE NEW YORK COURT SYSTEM. IN RESPONSE TO EACH OF THOSE APPEALS THE STATE OF NEW YORK FOUND HIM EXTRADITABLE. AS A RESULT HE HAS NOW APPEALED HIS CASE TO THE U.S. SUPREME COURT. THE SUPREME COURT HAS YET TO DECIDE IF IT WILL HEAR THE CASE AND OUR LEGAL PEOPLE DON'T ANTICIPATE A DECISION ON THAT UNTIL OCTOBER OR NOVEMBER OF THIS YEAR.

THE DEPARTMENT HAS NOT BEEN OFFICIALLY CONSULTED ON JHIRAD'S CASE, BUT WE HAVE FOLLOWED IT CLOSELY SINCE 1972 AS A RESULT OF OUR OBLIGATION UNDER THE U.S.-INDIAN EXTRADITION TREATY.

AS A RESIDENT ALIEN, JHIRAD IS ENTITLED TO THE SAME PROTECTION ACCORDED A U.S. CITIZEN UNDER THE CONSTITUTION AND IN THE COURTS. WE CAN NOT REALLY DRAW ANY CONCLUSIONS ON THIS CASE AT THIS POINT, LARGELY BECAUSE THE ISSUE IS STILL UNDER LITIGATION. I CAN, HOWEVER, GUARANTEE YOU THAT THE OFFICE OF OUR LEGAL ADVISOR IS FOLLOWING IT CLOSELY. I DON'T THINK HE IS IN IMMINENT DANGER OF EXTRADITION, ESPECIALLY SINCE THE SUPREME COURT HAS YET TO MAKE A DECISION ON WHETHER TO HEAR THE CASE.

ON ANOTHER SUBJECT, YOU MENTIONED THAT THE SECRETARY HAS AGREED TO ATTEND A DINNER AND GIVE A SHORT SPEECH IN HONOR OF YOUR 20TH ANNIVERSARY AT THE TEMPLE ON SEPTEMBER 8. I MUST APOLOGIZE TO YOU IN ADVANCE IF THE SECRETARY'S OFFICE LIMITED OFFICIAL USE

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HAS NOT RAISED THIS ISSUE WITH YOU. UNFORTUNATELY, THE SECRETARY IS COMMITTED TO AN APPOINTMENT IN WASHINGTON THAT EVENING WHICH, I REGRET TO SAY, PRECLUDES HIS APPEARANCE AT THE TEMPLE. SCHEDULING IS A CHRONIC PROBLEM WITH OUR LEADER AND I AM AFRAID THIS ONE HAS BEEN INEXCUSABLY MISHANDLED. MARLENE AND I, HOWEVER, WILL TRY OUR BEST TO BE THERE IF THE INVITATION IS STILL OPEN.

I SINCERELY HOPE WE HAVE NOT EMBARRASSED YOU OR OTHERWISE
CONFUSED THE SITUATION. I APPRECIATE YOUR PATIENCE AND
UNDERSTANDING ON THIS. IF THE INVITATION IS STILL OPEN
HOWEVER, WE LOOK FORWARD TO SEEING YOU ON THE 8TH.

I HAVE SENT A COPY OF THIS LETTER TO MRS. SCHILLER KNOWING
THAT YOU DO NOT RETURN HOME UNTIL EARLY SEPTEMBER.
SINCERELY, LAWRENCE S. EAGLEBURGER (SIGNED LARRY). KISSINGER

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